<u>REMARKS</u>

This Amendment is filed in response to the Office Action dated June 27, 2007, which has a shortened statutory period set to expire September 27, 2007.

<u>Claims 1-3, 5, and 6 are patentable over Logvinov and Dollard</u>

Claim 1, as amended, now recites, "generating a pilot mask for immediate use in the receiver based solely on analysis at the receiver". Applicant respectfully submits that neither Logvinov nor Dollard teach this limitation.

Logvinov teaches that the receiver gathers channel data during periods when transmitters occupy the channel as well as times when the channel is idle. Paragraph 0016. Channel data from the transmitter the receiver is communicating with as well as other transmitters can also be used. Paragraph 0039. The same approach is applicable for determining the presence of narrow and wide band interferers. Paragraph 0043. Logvinov uses the gathered data to improve receiver effectiveness and avoid interference. Paragraphs 0016 and 0043.

Dollard generates a bitmap that is indicative of usable and unusable sub-carriers based on analysis at a first communication device C1 and then sends that initial bitmap to a second communication device C2. Col. 7, lines 30-38. This bitmap is transmitted to C2 using a plurality of sub-carriers, including those not suitable for reception by the first communication device C1 as they may be suitable for reception by the second communication device C2. Col. 7, lines 39-44. The second communication device C2 then determines which sub-carriers are unsuitable for C2 and modifies the bitmap to reflect any such unsuitable sub-carriers. Col. 8, lines 13-20. If the bitmap is not modified, then the second communication device can merely send the first communication device back an ACK signal. Col. 8,

lines 20-22. If the bitmap is modified, then this bitmap is sent back to the first communication device to establish the sub-carriers to be used for data transfers between the devices. Col. 8, lines 23-28. Thus, Dollard teaches a bitmap that requires analysis and input from two communication devices before data transfer can begin.

In contrast, in Applicant's method, the pilot mask can be generated based only on analysis at the receiver. Notably, once generated, this pilot mask can immediately be used without input from another communication device. Therefore, this method is more efficient than either Logvinov or Dollard, both of which teach techniques that use analysis from a transmitter and a receiver.

Because Logvinov and Dollard fail to disclose or suggest the recited step of generating or appreciate its advantages, Applicant requests reconsideration and withdrawal of the rejection of Claim 1.

Claims 2-3 and 5 depend from Claim 1 and therefore are patentable for at least the reasons presented for Claim 1. Based on those reasons, Applicant requests reconsideration and withdrawal of the rejection of Claims 2-3 and 5.

Claim 6, as amended, now recites, "a set of flags generated in the receiver for immediate use based solely on analysis at the receiver". Therefore, Claim 6 is patentable for substantially the same reasons presented for Claim 1. Based on those reasons, Applicant requests reconsideration and withdrawal of the rejection of Claim 6.


Claim 4 is patentable over Logvinov, Dollard, and Goldstein

Claim 4 depends from Claim 1 and therefore is patentable for at least the reasons presented for Claim 1. Goldstein fails to remedy the deficiencies of Logvinov and Dollard with respect

to Claim 1. Specifically, Goldstein also fails to disclose or suggest "generating a pilot mask for immediate use in the receiver based solely on analysis at the receiver". Because none of the cited references disclose or suggest this limitation, Applicant requests reconsideration and withdrawal of the rejection of Claim 4.

## CONCLUSION

Claims 1-6 are pending in the present application. Allowance of these claims is respectfully requested.

If there are any questions, please telephone the undersigned at 408-451-5907 to expedite prosecution of this case.

Respectfully submitted,

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